

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 6:10-CR-03090-DGK
)	
ULYSSES JONES, JR.,)	
)	
Defendant.)	

**ORDER ADOPTING REPORT AND RECOMMENDATION CONCERNING
DEFENDANT’S COMPETENCY**

Now before the Court is United States Magistrate Judge John T. Maughmer’s Report and Recommendation concerning Defendant Ulysses Jones, Jr.’s competency to stand trial (Doc. 339).

After reviewing the report and conducting an independent review of the applicable law and record, *see* L.R. 74.1(a)(2), the Court agrees with Judge Maughmer that Defendant is competent to stand trial and assist in his defense. The Court notes that all of the experts essentially agree that Defendant is currently mentally competent to stand trial.

That said, the Court also notes Dr. Ruediger Lehrich’s testimony concerning how fatiguing undergoing dialysis can be, as well as Dr. Stacey Wood’s testimony that she “observed a fluctuating mental state” in Defendant over time which might affect his ability to participate in his trial. *See, e.g.*, transcript of competency hearing at 124-25, *United States v. Ulysses Jones, Jr.*, No. 10-03090-01-CR-S-DGK, (W.D. Mo. July 24, 2017), ECF No. 326. In crafting the trial schedule, the Court will be mindful that Defendant’s physical condition can cause cognitive impairments. The Court will ensure that Defendant’s ability to assist his attorneys and participate in his trial is not compromised.

The Court ADOPTS the Report and Recommendation (Doc. 339).

IT IS SO ORDERED.

Date: September 11, 2017

/s/ Greg Kays
GREG KAYS, CHIEF JUDGE
UNITED STATES DISTRICT COURT